



**Massachusetts Department of Environmental Protection**  
Bureau of Waste Prevention – Solid Waste Management  
Special Waste Determination  
**BWP SW 14 Special Waste Determination – Major**  
**BWP SW 31 Special Waste Determination – Minor**  
**Instructions and Supporting Materials**

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**Introduction**

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the DEP Web site at [mass.gov/dep](http://mass.gov/dep) in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

*Instructions & Support Materials* files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

*Permit Applications* in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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**Permit Fact Sheet**

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**1. What is the purpose of these determinations?**

Some solid wastes are classified as Special Wastes. These wastes are either listed in the Solid Waste Regulations or are determined to be special wastes that require special handling. In these cases, DEP reviews and approves all requests for disposal or handling. The regulations listed below govern the process for applying for a determination of whether a solid waste requires special handling procedures, what the requirements for disposal are and how to obtain a facility approval to handle a special waste.

Legal authority is found in MGL c. 21A, ss. 2 and 8, c. 111, s. 150A. Regulatory authority is found in 310 CMR 19.000: Solid Waste Management Facility Regulations, specifically 310 CMR 19.061, Special Waste.

**2. Who must apply?**

Any solid waste facility shall apply to handle a special waste, including, but not limited to, the following:

- asbestos waste;
- infectious waste;
- sludges, including, but not limited to, wastewater treatment sludges, drinking water treatment sludges, and industrial process wastewater treatment sludges;
- other wastes which may require special management to ensure protection of public health, safety or the environment based upon the physical, biological or chemical properties of the waste.

**2a. Which application should I file, major (BWP SW 14) or minor (BWP SW 31)?**

The application you should use is determined by the quantity of material which you will be disposing of, either at one time or over a period of time. For example, if you dispose of greater than 20 tons of special waste at one time or over a period of time, use BWP SW 14. If you dispose of 20 tons or less at one time, then use BWP SW 31.

**3. What other requirements should be considered when applying for these determinations?**

- a. The applicant must have a valid site assignment and a permit pursuant to c.111, s. 150A.
- b. The applicant must submit the appropriate data on the physical, chemical and biological nature of the material for which a determination is to be made. In most cases the generator of the waste material should be able to provide most or all of the required information. If not, a certified laboratory should be retained to provide the relevant data. Please note that data is not required to be submitted for asbestos waste or infectious waste.
- c. In accordance with 310 CMR 19.061(5)(e), the Department may require that the facility operator submit an application for permit modification in accordance with 310 CMR 19.039 where the Department determines that the handling of a waste at a facility shall cause a deviation from the facility permit.



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**Note:** These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include **all** requirements.

**4. What is the application fee?**

**BWP SW 14 - Major**.....\$1,580  
**BWP SW 31 - Minor**.....\$400

**5. What is the Primary Permit Location? What is the Reserve Copy Location?**

*Primary Permit Location:*  
**Dep't. of Environmental Protection**  
\_\_\_\_\_ \* **Regional Office**  
**Solid Waste**

*Reserve Copy Location:*  
**Dep't. of Environmental Protection**  
**Solid Waste Management**  
**1 Winter Street**  
**Boston, MA 02108**

\*See "Addresses and Phone Numbers" page included in this package.

A copy of the application must be sent to the board of health for the community in which the disposal facility is located.

**6. What are the timelines?**

As of June 18, 1993 the timelines are:

	<b>AC</b>	<b>T1</b>	<b>T2*</b>	<b>PC</b>
<b>BWP SW 14</b>	30	45	45	**
<b>BWP SW 31</b>	30	30	30	**

\*(A second technical review will only be conducted if necessary).

\*\*(Please note that 310 CMR 19.061(5)(f) requires that the board of health be notified of the Department's decision and that the board has 14 days in which to comment to the Department on the Department's decision).

**7. What is the annual compliance fee?**

There is no annual compliance fee for these determinations.

**8. How long are these determinations in effect?**

There is generally no time limit on approvals to manage special wastes unless specified in the approval. DEP may suspend or modify an approval at the request of the board of health as specified at 310 CMR 19.061(5)(g). In addition, DEP may reclassify the waste or place further conditions on an approval as specified at 310 CMR 19.061(7).



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**9. How can I avoid the most common mistakes made in applying for these determinations?**

- a. Submit all the data on the chemical, physical and biological properties of the waste required for DEP to make a determination.
- b. Submit a signed copy of the certification form.
- c. Submit fee and *one copy* of the DEP Transmittal Form to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

**10. What are the regulations that apply to these determinations? Where can I get copies?**

These regulations include, but are not limited to:

- a. Solid Waste Management Facility Regulations, 310 CMR 19.000.
- b. Timely Action Schedule Fee Provisions, 310 CMR 4.00.

These may be purchased at:

**State Bookstore (in State House)**  
**Room 116**  
**Boston, MA 02133**  
**617-727-2834**

**State Bookstore**  
**436 Dwight Street, Room 102**  
**Springfield, MA 01103**  
**413-784-1376**



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**Application Completeness Check List**

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- ☐ The DEP Transmittal Form is completed.
- ☐ The application has been completed.
- ☐ The certification statement submitted and signed (310 CMR 19.011).

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ Send one copy of the application, with any supporting documentation, along with one copy of the DEP Transmittal Form to these three locations:

Department of Environmental Protection

\_\_\_\_\_ \*Regional Office

Solid Waste Management

\*See "Addresses and Phone Numbers" page included in this package.

**AND**

Department of Environmental Protection

Solid Waste Management

1 Winter Street

Boston, MA 02108

**AND**

Board of Health

\_\_\_\_\_ (Address)

\_\_\_\_\_ (City or Town)

- ☐ Send fee of:

\$1,580 for BWP SW 14;

\$400 for BWP SW 31;

in the form of a check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the DEP Transmittal Form to:

Department of Environmental Protection

P.O. Box 4062

Boston, MA 02211



## Massachusetts Department of Environmental Protection

# Addresses and Phone Numbers

DEP Boston  
One Winter Street  
Boston, MA 02108  
Telephone: (617) 292-5500  
Fax: (617) 556-1049  
TDD: (617) 574-6868

William X. Wall Experiment Station  
37 Shattuck Street  
Lawrence, MA 01843  
Fax: (978) 688-0352  
*Division of Environmental Analysis*  
Telephone: (978) 682-5237  
*Air Quality Surveillance*  
Telephone: (978) 975-1138

Office of Watershed  
Management  
627 Main Street  
Worcester, MA 01608  
Telephone: (508) 792-7470  
Fax: (508) 839-3469

Millbury Training Center  
Route 20 Millbury, MA 01527  
Telephone: (508) 368-5600  
Fax: (508) 755-9253  
*Residuals Sludge Management*  
Telephone: (508) 368-5606  
*WWT Operator Certification*  
Telephone: (508) 368-5698

DEP Western Region  
436 Dwight Street  
Suite 402  
Springfield, MA 01103  
Phone: (413) 784-1100  
Fax: (413) 784-1149



Adams  
Agawam  
Alford  
Amherst  
Ashfield  
Becket  
Belchertown  
Bernardston  
Blandford  
Brimfield  
Buckland  
Charlemont  
Cheshire  
Chester  
Chesterfield  
Chicopee  
Clarksburg

Colrain  
Conway  
Cummington  
Dalton  
Deerfield  
Easthampton  
East Longmeadow  
Egremont  
Erving  
Florida  
Gill  
Goshen  
Granby  
Granville  
Great Barrington  
Greenfield  
Hadley

Hampden  
Hancock  
Hatfield  
Hawley  
Heath  
Hinsdale  
Holland  
Holyoke  
Huntington  
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Lee  
Lenox  
Leverett  
Leyden  
Longmeadow  
Ludlow  
Middlefield

Monroe  
Montague  
Monterey  
Montgomery  
Monson  
Mount Washington  
New Ashford  
New Marlborough  
New Salem  
North Adams  
Northampton  
Northfield  
Orange  
Otis  
Palmer  
Pelham  
Peru

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Plainfield  
Richmond  
Rowe  
Russell  
Sandisfield  
Savoy  
Sheffield  
Shelburne  
Shutesbury  
Southampton  
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Stockbridge  
Sunderland  
Tolland

Tyringham  
Wales  
Ware  
Warwick  
Washington  
Wendell  
Westfield  
Westhampton  
West Springfield  
West Stockbridge  
Whately  
Wilbraham  
Williamsburg  
Williamstown  
Windsor  
Worthington

DEP Central Region  
627 Main Street  
Worcester, MA 01608  
Phone: (508) 792-7650  
Fax: (508) 792-7621  
TDD: (508) 767-2788



Acton  
Ashburnham  
Ashby  
Athol  
Auburn  
Ayer  
Barre  
Bellingham  
Berlin  
Blackstone  
Bolton  
Boxborough  
Boylston  
Brookfield

Charlton  
Clinton  
Douglas  
Dudley  
Dunstable  
East Brookfield  
Fitchburg  
Gardner  
Grafton  
Groton  
Harvard  
Hardwick  
Holden  
Hopedale

Hopkinton  
Hubbardston  
Hudson  
Holliston  
Lancaster  
Leicester  
Leominster  
Littleton  
Lunenburg  
Marlborough  
Maynard  
Medway  
Mendon  
Milford

Millbury  
Millville  
New Braintree  
Northborough  
Northbridge  
North Brookfield  
Oakham  
Oxford  
Paxton  
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Shirley  
Shrewsbury  
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Westborough  
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West Brookfield  
Westford  
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Winchendon  
Worcester

DEP Southeast Region  
20 Riverside Drive  
Lakeville, MA 02347  
Phone: (508) 946-2700  
Fax: (508) 947-6557  
TDD: (508) 946-2795



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Eastham  
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Mashpee

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Norwell  
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Pembroke  
Plainville  
Plymouth  
Plympton

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Raynham  
Rehoboth  
Rochester  
Rockland  
Sandwich  
Scituate  
Seekonk  
Sharon  
Somerset  
Stoughton  
Swansea  
Taunton

Tisbury  
Truro  
Wareham  
Wellfleet  
West Bridgewater  
Westport  
West Tisbury  
Whitman  
Wrentham  
Yarmouth

DEP Northeast Region  
1 Winter Street  
Boston, MA 02108  
Phone: 617-654-6500



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Belmont  
Beverly  
Billerica  
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Hingham  
Holbrook  
Hull  
Ipswich  
Lawrence  
Lexington  
Lincoln  
Lowell  
Lynn  
Lynnfield  
Malden  
Manchester-By-The-Sea  
Marblehead  
Medfield  
Medford  
Melrose

Merrimac  
Methuen  
Middleton  
Millis  
Milton  
Nahant  
Natick  
Needham  
Newbury  
Newburyport  
Newton  
Norfolk  
North Andover  
North Reading  
Norwood  
Peabody

Quincy  
Randolph  
Reading  
Revere  
Rockport  
Rowley  
Salem  
Salisbury  
Saugus  
Sherborn  
Somerville  
Stoneham  
Sudbury  
Swampscott  
Tewksbury  
Topsfield

Wakefield  
Walpole  
Waltham  
Watertown  
Wayland  
Wellesley  
Wenham  
West Newbury  
Weston  
Westwood  
Weymouth  
Wilmington  
Winchester  
Winthrop  
Woburn



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**BWP SW 14 Beneficial Use Determination – Major**  
**BWP SW 31 Beneficial Use Determination - Minor**  
**Application for Beneficial Use Determination**

Transmittal Number # \_\_\_\_\_

Facility ID (if known) \_\_\_\_\_

## A. Project Information

**Important:**

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**DIRECTIONS:**

1. Specify the page numbers in which the following information is located.

2. Enter NA if information requested is not applicable.

1. Which permit category are you applying for?

☐ BWP SW 14

☐ BWP SW 31

2. General Information about the Solid Waste:

**Page #**

**DEP USE ONLY**

a. General description of the waste:

\_\_\_\_\_

\_\_\_\_\_

b. Source of the waste

\_\_\_\_\_

\_\_\_\_\_

(1) Name of the generator

\_\_\_\_\_

\_\_\_\_\_

(2) Address of the generator

\_\_\_\_\_

\_\_\_\_\_

c. Description of the industrial process which produces the waste

\_\_\_\_\_

\_\_\_\_\_

d. Quantity (volume and/or tonnage)

\_\_\_\_\_

\_\_\_\_\_

3. Management options evaluation:

a. reduction

\_\_\_\_\_

\_\_\_\_\_

(1) physical/chemical

\_\_\_\_\_

\_\_\_\_\_

(2) other

\_\_\_\_\_

\_\_\_\_\_

b. reuse

\_\_\_\_\_

\_\_\_\_\_

c. recycling

\_\_\_\_\_

\_\_\_\_\_

(1) composting

\_\_\_\_\_

\_\_\_\_\_

(2) land application

\_\_\_\_\_

\_\_\_\_\_

(3) other

\_\_\_\_\_

\_\_\_\_\_

d. other

\_\_\_\_\_

\_\_\_\_\_

(1) incineration

\_\_\_\_\_

\_\_\_\_\_



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**A. Project Information (cont.)**

	Page #	DEP USE ONLY
e. criteria evaluation		
(1) protection of public health, safety, and environment	_____	_____
(2) toxicity reduction and volume	_____	_____
(3) implementability	_____	_____
(4) cost	_____	_____
4. Chemical, physical and biological properties of the waste:		
a. chemical properties of the waste		
(1) pH	_____	_____
(2) reactivity	_____	_____
(3) leachability (TCLP test)	_____	_____
(4) total metals	_____	_____
(5) VOCs	_____	_____
(6) other appropriate constituents	_____	_____
b. Physical properties of the waste		
(1) particle size	_____	_____
(2) density	_____	_____
(3) total solids	_____	_____
(4) volatile solids	_____	_____
(5) moisture content	_____	_____
(6) free liquid	_____	_____
c. biological properties of the waste, if applicable		
(1) pathogens	_____	_____



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**A. Project Information (cont.)**

	Page #	DEP USE ONLY
5. Proposed disposal location and handling methods:		
a. proposed handling methods		
(1) transportation	_____	_____
(2) storage	_____	_____
(3) processing	_____	_____
b. disposal site	_____	_____
c. proposed method or methods for disposal	_____	_____

**B. Certification: 310 CMR 19.011**

Any person, required by these regulations or any order issued by the Department, to submit papers shall identify themselves by name, profession, and relationship to the applicant and legal interest in the facility, and make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties both civil and criminal for submitting false information including possible fines and imprisonment.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Position/Title

\_\_\_\_\_  
Date